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The Higher Levels of Arbitration.

BY JOSEPH COOK.

Address at the Lake Mohonk Arbitration Conference, June 7, 1900.

Mr. Chairman, Ladies and Gentlemen: In spite of Victor Hugo's sublime apotheosis of humanity, "God only is great!" Unless a theocracy governs the nations, the coming of universal democracy will not be safe, even under the higher levels of arbitration. "Men fraternize in the heavens," Victor Hugo says. There was a song of angels which began the Christian era, an expression of thought endlessly majestic and startlingly profound: "Glory to God in the highest, and on earth peace." To whom? "To men of goodwill," to men of right choice or upright intention, and to no others. We have had great philosophers, from Immanuel Kant and Jonathan Edwards down to the present hour, who say that everything good in man is, at last analysis, right choice. "Peace on earth," the angels sang, not peace to everyone,—there is no such atrocious absurdity in the Scriptures as that,—but "Peace on earth to men of right choice." "*In terra pax hominibus bonæ voluntatis*," the Vulgate translates the Greek. Those Latin words are a safe watchword of both theology and politics.

It is no empty exaggeration to say that the nineteenth century has made the whole world one neighborhood. The twentieth ought to endeavor to make this one neighborhood into one brotherhood. And yet it is God who has made the world one neighborhood, and it is God, and only He, who will or can make it one brotherhood. The world was once like a block of marble: struck on one side, the other side did not quiver. But it is now like a mass of sensitive nerve-fibre: wound the modern world anywhere, and it winces everywhere. There are no foreign lands; there can be no more hermit nations. As Victor Hugo affirms, in the marvelous passage just now read to us by our accomplished national ex-librarian, Mr. Spofford, "The unity of the world explains everything and resolves everything." The proudest of the Cæsars could not drive around the Roman empire in less than one hundred days; but we now send a letter or a bale of goods or a man around the entire globe in less than eighty circuits of the sun. The rights of neutrals have increased in importance on account of the crowding of the nations together through the swiftness of modern methods of intercommunication. If two men fight in an open plain they may swing their swords as they please; but if they fight in a crowd, the bystanders have something to say as to how the weapons shall be handled. The rights of neutrals are now so emphasized that all our great economists tell us that wars must be lessened as much as possible in number and duration on account of the interests at stake in the nations that do not fight at all.

In the progress of representative institutions and the gradual broadening of the suffrage in advanced nations, ballots are rising into authority over bullets. The prospects of peace brighten now that the victims of war themselves begin to hold the purse strings of war. Except war in self-defense or for humanity, all enlightened circles now are beginning to be ready to make war against war. Duels between nations for selfish or aggressive ends ought to be regarded as more barbarous than

the now obsolete or obsolescent practice of duels between individuals. The story of Naboth's Vineyard, if re-enacted now between a strong nation and a weak one, ought to bring upon the oppressor and robber a clinging infamy as scarifying as the shirt of Nessus.

We watch the war in South Africa, though we say nothing of it, perhaps, except at our firesides. We are painfully interested in a contest in the Philippines, although on that topic we must remember that here and now speech is silver and silence is gold. Let me be candid with you, however, by the use of metaphors.

Wendell Phillips, before slavery was abolished, used to speak of the "national vulture" instead of the national eagle. Perhaps you will allow me now to say that there is an American eagle, aspiring to be comrade of the sun, capable of holding the thunderbolts in its talons, a bird with no vermin in its feathers and no taste for carrion. There is also an American cormorant, who never looks at the sun as long as he can see a fish, who forgets that there is a blue vault above him if there is spoil beneath him; and "like the thunderbolt he falls," to use Tennyson's phrase as to the nobler bird. This cormorant is accustomed to study the seashores of the world with a commercial air. I am saying nothing against any politician, or statesman, or merchant. These two birds are emblematic of two types of thought and feeling in our civilization. It is a mischief of conventions of reformers that we live too exclusively in our own atmosphere. Although there are merchants of the lower type—God forbid that I should say a word against merchants of the loftier type! They have been missionaries of civilization and Christianity for many centuries. But there are two Americas, one represented by the cormorant, one by the eagle. I dislike exceedingly being called a little American, but I dislike still more to be called a turn-coat American or a cormorant American.

It is important to remember that there are two British emblematic animals. The lion, a natural king of beasts, does not much overestimate himself when he is at his best and sobered by occasional defeat. Many beasts are afraid of him—not the eagle, far aloft! The lion can strike a blow so swift that you lose sight of his paw. He is a cat as well as a lion. When he closes his jaws upon his prey he does not easily unlock them. He has persistence, power, "pluck," as the British say. I have great respect for the lion: he has done wonders in the world. But there is a British jackal that sometimes hunts with the lion. Now the jackal is first cousin to the wolf. He hunts in a pack; he likes to be three to one in a fight. He feeds on carrion; he takes up jobs that almost nobody else will touch. "There are two Englands," says Gasparin, "conscientious England and unscrupulous England." I will not go further with the metaphors. I mean by this beast what I venture to call the Jackal Jingoism of which there is a specimen on this side the water as well as on the other, whenever greed gets control of conscience, and our nation comes under the domination of what I call Cormorant Imperialism, in contrast to Christian Imperialism. Of this Cormorant Imperialism, "fate" and "manifest destiny" and "markets" are the watchwords, as we have heard ever since Aaron Burr's predatory expedition. Aaron Burr, I hope, is a fit subject of remark, and I do not know that I ought to forget the name of saintly Cecil Rhodes! What we want is a

moral alliance, never a political, never a formal alliance, such as was denounced so properly here to-day in the eloquent words of Mr. Paine. I want the American eagle and the British lion to be good friends. I do not want to see an alliance of the American cormorant and the British jackal.

Dropping metaphor, here are four ascending levels of arbitration, rising steps of this great reform which has already flooded us with unexpected success. First, we have Permissive Arbitration; this we have at last attained. A permanent international tribunal of arbitration is now a fact and no fancy, and God be praised that we are able to say this! In the holy year which closes the nineteenth century, twenty-six nations have become signatory powers, standing leagued in support of the great convention adopted at The Hague, guaranteeing arbitration in its permissive form. Nothing in it is compulsory; it is simply and even rather defiantly permissive. It is fact and no dream that twenty-six nations have signed that convention,—our Republic having ratified it first of all,—and that within a few months the permanent international tribunal, for which we have longed and prayed and labored so many years, will be in active operation, ready to be used by any one who comes forward to ask for its services. I wish to recognize this combination of events as one of the most remarkable in the history of the century. I am not sure but that our century will be remembered by this great convention at The Hague quite as much as by some other events which have made more noise. There is in Permissive Arbitration, even if we do not attain anything more, a new era.

Statesmen who do not use the Permanent International Tribunal now organized will be expected to explain why they do not arbitrate. The sixty-one strategic articles of the great treaty commended by the twenty-six signatory powers represented in the Conference at The Hague are the resplendent outlines of a Magna Charta of reformed international law. Immanuel Kant, Grotius, Henry IV. of France, John Bright, Charles Sumner, to say nothing of scores of other great advocates of international reform, were they alive to-day, would see in this memorable document a result of the travail of their souls and be *gratified*—I had almost said *satisfied*!

But what more do we want? It has been admirably explained to you that Italy and Argentina have entered into what I call Guaranteed Arbitration. They do not stand at the permissive level, where the twenty-six nations stand. They have risen to the second level in the ascending course, and have guaranteed to each other arbitration, and made it formally as well as morally obligatory upon themselves as a means of settling any of their difficulties, even those touching national honor. This is the level on which we should like to establish a treaty of arbitration with France, with Russia, with Germany, with England, with any of the twenty-six nations that signed the agreement establishing Permissive Arbitration. There is far more stringency in this second shape of the reform than in the first; but the first, if we have no more, will send me, for one, onward in whatever time may be left to me with a thankful heart. I believe that no one five years ago would have predicted that twenty-six nations would rise to the level of Permissive Arbitration, and that to-day people would be discussing the propriety of adopting Guaranteed or Obligatory Arbitration.

A third level at which arbitration may stand I call Confederated Arbitration. Permissive Arbitration is simply the forefinger extended, pointing the way: you may take it if you please. There is the guiding hand, and it is of the first importance to have the legal assistance and moral and intellectual prestige of such a body as this permanent tribunal is likely to be. At least two ex-Presidents of our Republic are fit for seats in that august tribunal. But you know naturalists tell us that the hand of man is one cause of his greatness, and that the secret of it lies in the *opposable thumb*, which makes it possible for him to grasp objects as the lower animals cannot.

David Dudley Field, *magnum et venerabile nomen*, of whom a chancellor of England said that he had done more for the reform of laws than any man living, proposed years ago, in what I consider the ablest book America has produced on the topic, "A New International Code." This stately legal volume of seven hundred pages has been translated into French and Italian and even into Chinese—heaven grant it may help the Celestial Empire in these critical days of its history! He proposed in this book a league of nations, or what I should call Confederated Arbitration. There was an *opposable thumb* in the plan he constructed. His scheme, as a whole, is only a theory, but it is wrought out with wonderful skill. Many parts of it have now been adopted by twenty-six nations. It proposes setting an opposable thumb over against the fingers of the hand of reform in the field of arbitration. This great lawyer's and reformer's plan was that the treaties now existing between advanced nations should be reduced to a simple code, that other agreements should be made to promote peace as far as possible, and that then the leading nations should adopt the code after full discussion. If, thereafter, any of the nations adopting it—any of the fingers—should make war contrary to the provisions of the code, the nations parties to it agreed to coerce the offending nation to keep the peace.*

There was arbitration with a sanction. Of course, the mere agreement would keep the peace; no war would be likely to occur under such an arrangement. There would be the hand with the opposable thumb and something of a grip in it. This is one of the higher levels of arbitration which has been advocated by this eminent specialist on that topic. I believe it will do younger men good to look into Dudley Field's international code. It is full of suggestions on a dozen points that have been discussed here. Edward Everett Hale, our veteran philanthropist, in whose presence I once shook this book at an audience in Boston, said he was glad to have it exhibited, for the solid, legal volume was a more effective object lesson than any collection of special pamphlets.

You might call David Dudley Field's plan Coercive Arbitration; I call it simply Confederated Arbitration. It would make a league somewhat like the confederation with which this Republic began its career. This arbi-

*"Every nation party to this code binds itself to unite in forming a Joint High Commission, or a High Tribunal of Arbitration, in the cases hereinbefore specified as proper for its action, and to submit to the decision of a High Tribunal of Arbitration constituted and proceeding in conformity to this code. . . . If any party hereto shall begin a war in violation of the provisions of this code for the preservation of peace, the other parties bind themselves to resist the offending nation by force." "Outlines of an International Code," by David Dudley Field, second edition. New York: Baker, Voorhis & Co.; London: Trübner & Co., 1876.

tration league would extend around the world among the advanced nations.

This third shape of the reform would enable us to begin to think of a still higher level of improvement, or what I call Disarmed Arbitration. The Emperor of Russia, in his call for the Hague Convention, said much about disarmament, and put it in the forefront of his proposition. His action looked like driving the wedge thick end foremost. Disarmament is naturally a final, almost never a fit initial, measure. We have driven in the thin end of the wedge now, and more than the thin end. We are likely to get to a serious discussion of Dudley Field's plan by and by. We may come at last to the level at which arbitration will demand disarmament, or at least a diminution of the size of armies and war budgets. As this has been discussed for centuries by great experts, as it was brought forward at The Hague, we must keep it in mind in view of the future into which we are drifting, and in which we ought to have clear ideas of this reform which we have been blessed by Providence with permission to initiate.

Unless God stands above all these lower and higher levels of arbitration, they are as vain as telegraphic lines without the electric current. I put above them all what I love to call Christian Imperialism, the purpose of uplifting humanity, the mood which sends missionaries to the ends of the earth, the inspiration from on high of which my theistic Hindoo friend, Mozoomdar, spoke eloquently here last night. He told us in his figurative way that until a theocracy governs the earth our democracy is little better than chaos. Why, we need to sow this land ankle deep with documents concerning arbitration! And let not the churches think they have no responsibility in this matter. They are to interpret the thought of God; for it is only from the rains, only from the light, coming from above, that we shall make Christian Imperialism a success, or give anything like vitality to the hopes that Victor Hugo and Tennyson express.

Good poetry ought to be good sense, as well as lofty in its appeal to the love of the beautiful and the sublime. Tennyson's words are grand and beautiful, and are also good sense; but the most important line in the famous passage is rarely quoted:

"Then I dipped into the future, far as human eye could see,
Saw the Vision of the world, and all the wonder that would be;

". . . 'Till the war-drum throbbed no longer, and the battle-
flags were furled
In the Parliament of Man, the federation of the world.

"There the common-sense of most shall hold a fretful realm in awe,
And the kindly earth shall slumber, lapped in universal law."

"There?" Where? In the "Parliament of Man, the federation of the world." By federation he does not mean consolidation; he would not cut up by the roots national patriotism. He would not have such a union of the nations as would prevent a man from saying, "I am an Englishman," "I am a German," or "I am an American." Daniel Webster once said, "Our states are united, not consolidated." Tennyson means that among the nations there shall be such an arrangement as Confederated Arbitration. How are we to hold nations in times of great stress and tumult, when greed seizes upon the heart-strings and they will have war at any price, and rush headlong into any kind of peril? How are we to

hold them? By David Dudley Field's Confederated Arbitration, or by such alliance of a moral and legal kind among the nations as shall give the "common-sense of most" the power to "hold a fretful realm in awe." I ask young men in America,—I strenuously urge all who are to be Pilgrim Fathers of the twentieth century,—to study the higher levels of arbitration, until they come, as a fixed habit of mind, to demand Christian Imperialism, to demand it in the face of Cormorant Imperialism everywhere, to demand it in the face of a Jackal Jingoism, to demand it in the press, to demand it in the pulpit, to demand it on the platform, to demand it in the schools, to demand it as authors, as statesmen, and even as politicians.

"All the armor of the booted warrior in the tumult
And the garments rolled in blood
Shall be for burning
And for fuel of fire.

"For unto us a child is born,
Unto us a Son is given;
And the Government shall be upon His shoulder,
And His name shall be called Wonderful,
Counsellor, Mighty God,
Everlasting Father, Prince of Peace.
Of the increase of His Government
And of Peace there shall be no end. . . .
The zeal of the Lord of Hosts shall perform this."
— *Isaiah ix.* (R. V. text and margin.)

The Influence of Mechanical Science on the Social Condition of Humanity.

BY EDWARD ATKINSON.

*Proposed for submission to the American Association for the
Advancement of Science, June, 1900.*

I have been requested to submit a paper on the foregoing subject. In compliance with that request I offer the following views on only one department of Mechanical Invention.

We can readily conceive the human race wandering over vast spaces in prehistoric ages, few in number, each family living on the spontaneous products of the soil, without knowledge of how to make fire and without any mechanical appliances or tools. We can imagine what happened when the first man who had invented a flint spear head found out that it gave him greater power. Presently the art of keeping fire alive was devised, later the art of making fire; then the art of cooking was discovered, and the man who could make flint spear heads with which to provide the most food energy to his body took a dominant position. Presently the arrow was invented which was discharged from some kind of bow, the gut of animals coming into use for bow strings.

The first man who excelled in these arts became capable of exerting power not only over the beasts of the field and the forest, but over his neighbors. Doubtless he assumed that power. Tribal organization then came into existence. The superiority of the tribe that had invented tools over those who had not became manifest. Distribution by force, plunder and rapine, the stronger controlling the weaker and less intelligent, evidently became a rule in the primary organization of society. New social conditions have been developed with every mechanical invention applied to killing implements. Presently emerged the art of war. The warrior became the chief, free of labor; the woman becoming a beast of